

AO 442 (Rev. 5/93) Warrant for Arrest

UNITED STATES DISTRICT COURT

Southern District of Texas

UNITED STATES OF AMERICA

V.

NORBERTO LAZARO DE LA GARZA, IV

WARRANT FOR ARRESTCase Number: **5:20CR00584-001**

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest NORBERTO LAZARO DE LA GARZA, IV
Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☐ Order of court ☒ Violation Notice ☐ Pretrial Release Violation

charging him or her (brief description of offense)

Supervised Release Violation

in violation of Title _____ United States Code, Section(s) _____

Hon. Nathan Ochsner

Name of Issuing Officer

U. S. District Clerk

Title of Issuing Officer

Margaret M. Perego, JSS

Signature of Issuing Officer

June 23, 2021 at Laredo, Texas

Date and Location

Bail fixed at \$ NO BOND by U.S. District Judge Diana Saldana
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

PROB 12C
(06/15)

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF TEXAS

RECEIVED
UNITED STATES MARSHAL
2021 JUN 23 PM 1:57
OPERATIONS
LAREDO, TX

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Norberto Lazaro De La Garza, Case Number: 5:20CR00584-001
IV

SA: 88-MJ-00957

Name of Sentencing Judge: The Honorable Ivan L. R. Lemelle

Date of Original Sentence: July 9, 2015

Original Offense: Conspiracy to Distribute and Possession With Intent to Distribute One Kilograms or More of Heroin, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), 846

Original Sentence: 84 months, five (5) year term of supervised release, participate in an orientation and life skills program, drug aftercare treatment, maintain full-time legitimate employment, random drug testing, and a \$100 assessment fee

Type of Supervision: Supervised Release Supervision Started: 7/9/2019
RE-TSR: 2/4/2021

Assistant U.S. Attorney: Andre Jones Defense Attorney: Roma Kent

EARLIER COURT ACTION

10/30/2019: The Eastern District of Louisiana-New Orleans Division submitted a Fm12C-Petition For Warrant alleging a DWI arrest. Warrant issued.

02/18/2020: Transfer of Jurisdiction transferred to the Southern District of Texas-Laredo Division, now known as 5:20CR00584-001.

11/10/2020: Norberto De La Garza, IV, appeared in the Houston Division for his initial appearance before the Honorable Christina A. Bryan.

RE: Norberto Lazaro De La Garza, IV
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02/04/2021: Norberto De La Garza, IV, appeared for revocation proceedings; plead true to all violations; **REVOKED TO TIME SERVED (87) days**; participate in an intensive substance abuse treatment, participate in an intensive alcohol abuse treatment program, submit to drug testing, may not use or possess alcohol, not be in possession of psychoactive substances, not possess any controlled substances without a valid prescription, participate in a program aimed at addressing specific interpersonal or social areas, for example, domestic violence, anger management, marital counseling, financial counseling, cognitive skills, parenting, maintain full time legitimate employment, participate in a mental health evaluation, participate in a mental health program, take all mental health medication, and continue on supervised release until the original expiration date of July 9, 2024

PETITIONING THE COURT

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	Failure to Participate in an Intensive Substance Abuse Treatment Program
2	Failure to Participate in an Intensive Alcohol Abuse Treatment Program
3	You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Details: Norberto De La Garza, VI, was referred to A Healthy Image treatment program for intensive substance and alcohol abuse treatment.

Mr. De La Garza failed to submit random urine specimens at A Healthy Image treatment program on May 19, 2021, June 11, and June 16, 2021.

On June 17, 2021, USPO made an unannounced home contact and met Mr. De La Garza's father, Norberto De La Garza, III, who advised that Mr. De La Garza last came to the house two weeks ago. He advised that Mr. De La Garza was staying with his girlfriend. He did not know the girlfriend's address. Mr. De La Garza failed to notify USPO regarding his departure from his parent's residence.

On June 17, 2021, in the evening, Ms. Florentina Aguayo, Counselor, informed that Mr. De La Garza failed to attend his counseling sessions on May 20 and May 27, 2021.

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Calls, text messages, voicemails and FaceTime to Mr. De La Garza have gone unanswered.

U.S. Probation Officer Recommendation: Mr. De La Garza appears to have absconded supervision. Given his extensive history of drug use and assaultive behaviors, it is respectfully requested that a Warrant be issued.

- ☒ The term of supervision should be
- ☒ revoked.
- ☐ extended for ____ years, for a total of ____ years.
- ☐ To modify the conditions of supervision as follows:

I declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Approved:



E. Joel Garcia, Jr., Supervising
United States Probation Officer

Respectfully submitted,

By:



Agustin Gamez, Jr.
United States Probation Officer
June 18, 2021

RE: Norberto De La Garza, IV
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THE COURT ORDERS:

- ☐ No Action
- ☒ The Issuance of a Warrant, and no bond.
- ☐ The Issuance of a Warrant, and no bond. Furthermore, that the issue of Supervised Release violation be addressed by the U.S. District Court at the time of disposition of Criminal Case Number _____.
- ☐ The Issuance of a Warrant, and a bond of \$_____ cash/surety with supervision as directed by the Probation Officer as a condition of said bond. Furthermore, that the issue of Supervised Release violation be addressed by the U.S. District Court at the time of disposition of the case currently known as _____.
- ☐ That the defendant be summoned to appear before the Court on _____ at _____ for a Supervised Release violation hearing to show cause why his Supervised Release should not be revoked.
- ☐ That the issue of Supervised Release violation be addressed by the U.S. District Court at the time of disposition in case # _____.
- ☐ That the defendant be brought before the Court to show cause why his supervision should not be revoked on _____ at _____.
- ☐ Other:




Diana Saldaña
U. S. District Judge

June 23, 2021

Date

TRUE COPY I CERTIFY
ATTEST:

NATHAN JOCHNER, Clerk of Court
By  Deputy Clerk